

**BOROUGH OF WESTWOOD  
WORK MEETING OF THE MAYOR & COUNCIL  
MARCH 1, 2011 MINUTES  
MUNICIPAL COMPLEX  
101 Washington Avenue  
7:30 PM Executive Closed Session/8:00 pm Work Session**

**1. Opening of the Meeting:**

The meeting was called to order by Mayor Birkner at 7:30 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

**2. Roll Call:**

Mayor Birkner – Present  
Councilmember Grefrath - Present  
Councilmember Phayre - Present  
Councilmember Quinn - Present  
Councilmember Sciara - Present  
Councilmember Waneck - Present  
Council President Miller - Present  
Borough Administrator Hoffmann – Present  
Borough Attorney Huntington - Present  
Borough Clerk Hughes - Present

**Committee Assignments:**

Finance, Administration & Capital Projects  
Public Properties  
Health & Recreation  
Fire & Ambulance  
Land Use  
Police & OEM

**3. Resolution #11 - 65: Executive Closed Session**

Motion: Council President Miller Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes  
Councilmember Quinn - Yes  
Councilmember Sciara – Yes  
Councilmember Waneck - Yes  
Council President Miller – Yes

**4. Reopen the Meeting:**

**Motion to reopen the meeting:** Council President Miller Second: Councilmember Grefrath

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 8:15 pm.

**5. Roll Call II:**

Mayor Birkner – Present  
Councilmember Grefrath - Present  
Councilmember Phayre - Present  
Councilmember Quinn – Present  
Councilmember Sciara - Present  
Councilmember Waneck - Present  
Council President Miller - Present  
Borough Administrator Hoffmann – Present  
Borough Attorney Huntington - Present  
Borough Engineer Boswell - Present

Borough Clerk Hughes – Present

**6. Flag Salute**

Mayor Birkner led those present in the salute to the flag.

**7. Reports of Committees and Officials:**

**A) Mayor's Report**

**1) HUMC**

Mayor Birkner advised that in light of the ruling by the State Health Commissioner, HUMC will be submitting the application to open a hospital at the former Pascack Valley Hospital site by June 1. There will be one public hearing in Trenton, given the success of the last public hearing held at Westwood Regional High School. Mayor Birkner noted that like the building of the original hospital, this is a real community effort. Things will be quiet for the next 2-3 months, but residents are encouraged to keep sending letters.

**2) Westvale Park**

Since Westvale Park has been snowed in, Mayor Birkner has no new developments to report.

**3) Broadway Resignalization**

Mayor Birkner reported that Bergen County held a Broadway intersection upgrade meeting to review site plans. The County is ready to go, but issues with PSE&G, such as pole relocations, and NJ Transit real estate team issues with easements/licenses, plus engineering issues with costs on both their ends, will delay things. Mayor Birkner is hopeful the project will move forward.

**B) Engineer's Report**

**1) Bi-weekly Report**

Dr. Boswell reviewed the bi-weekly report, a copy of which is attached.

**2) Pascack Brook Sewer Pipe**

Dr. Boswell reported that the contractor is finishing the electrical work on the Pascack Brook sewer pipe today or tomorrow, so the only work left will be paving and landscaping when the weather is nice. Mayor Birkner asked about odors. Dr. Boswell said there have been none. They have tested and it is air tight. The problem should be solved but Boswell Engineering will monitor it. Councilmember Grefrath asked when the project be closed out. Dr. Boswell estimated by April 1 assuming the weather cooperates. If it is really cold paving will be done later.

**3) Westvale Park**

Dr. Boswell discussed the final estimate and change order. He recommended the retainage be

reduced to \$10,000. Dr. Boswell commented that the roughly 2% overage on the project was due to the garbage and sod issues.

**4) 2011 Road Paving Updated List**

Dr. Boswell distributed an updated road resurfacing list based on what the Borough plans to spend. It is all consistent with the master plan for repaving. Mr. Woods added Newark Avenue due to its deterioration

**5) Air Monitoring Violations**

Dr. Boswell discussed the DEP-issued fine of \$4000 for violations under the Title V air monitoring permit. He explained that the DEP issued a permit shield, then said the shield isn't valid and issued the fine. Dr. Boswell advised that the cost of fighting it is more than the cost of the fine, since the DEP is willing to reduce it to \$2,000. He thinks it's wrong but recommended just paying it. Councilmember Waneck asked what the penalties would be for not paying the fine. Mr. Huntington said they will add daily rate to the fine, which the Borough will end up litigating in Trenton and incurring costs for professionals. Council President Miller agreed the alternatives are more expensive. Councilmember Waneck suggested complaining to elected officials. Councilmember Quinn suggested sending a letter outlining the Borough's objections with the check. Dr. Boswell suggested a resolution on the matter be adopted and sent to the Borough's legislators.

**6) Broadway Resignalization**

Councilmember Waneck asked if the plans reviewed at the Broadway resignalization meeting were the ones Dr. Boswell had shown the Council. She pointed out that those plans were not vetted and still required decisions. Dr. Boswell said the meeting was on what is east of the railroad tracks. NJ Transit has said they have no money to do this project, so doesn't look like it will be done in 2011. The County is ready to fund it. Councilmember Waneck didn't think the funding had been voted on by the Freeholders. Dr. Boswell said it is in a bond ordinance passed by the Freeholders.

**C) Council Liaison & Committee Reports**

**1) Police and OEM:**

**a) 2011 Goals**

Council President Miller distributed and discussed the 2011 goals for the Borough.

**2) Fire and Ambulance:**

**a) Reverse 911 Service**

Councilmember Sciara would like to review the C3 Contract for Reverse 911 services. He feels it is not being used to its fullest potential with non-emergency messages.

Councilmember Waneck noted that there is a messaging system for the Borough website,

but many people have signed up. Council President Miller said the Borough needs to do a campaign. A flyer for signing up will be posted in all Borough buildings.

**b) Ambulance Corps Update**

Councilmember Sciara announced that the Ambulance Corps will be holding its annual carnival July 26-30. Councilmember Waneck advised that the Ambulance Corps came before the Planning Board last week and was approved for the use of property.

**3) Public Properties:**

**a) Curbside Clothing Collection**

Councilmember Phayre discussed the concept of curbside clothing recycling collection. Council President Miller is still concerned with taking away donations from other groups that operate clothing bins. Mrs. Hughes was directed to distribute to the Governing Body the list of clothing bins and who benefits from them.

**b) DPW Update**

Councilmember Phayre noted that the DPW is doing a great job with snow removal.

**4) Land Use:**

The Planning Board has set up a schedule for the Master Plan reexam, which is posted on the website and has been distributed to the press. Councilmember Waneck encouraged everyone to attend the sessions.

**5) Health and Recreation:**

**a) Geese Control**

Councilmember Quinn displayed a coyote mannequin and explained its use for geese control on Borough properties as part of a multi-tiered approach. Mayor Birkner suggested involving the Board of Education. Councilmember Phayre said they are informally aware of the project.

**6) Finance, Administration and Capital Projects:**

**a) Veterans Park Revitalization Committee Report**

Councilmember Grefrath noted that the Veterans Park Revitalization project committee will hold a meeting soon. The next phase is rerouting walkways and replacing benches and cans, which will be moved near the entrances of the park. The project will be impacted by the Broadway resignalization project, so two sets of plans should be drafted, with whatever is common to both set being implemented this year. Councilmember Grefrath noted that the Borough Planner is doing the Veterans Park plans on his own time because he wants to see the park succeed and knows the budget is constricted.

**b) Memorial Bench Program**

Councilmember Grefrath announced that the first order for a memorial bench for Veterans Park has been received.

**D) Attorney's Report**

No report.

**E) Administrator's / Clerk's Report**

**1) Taxi License Renewal**

Mrs. Hughes explained that NA Limo has been parking its vehicles on Sullivan Street overnight, which impedes the ability to plow the street curb to curb. The drivers were unwilling to move the vehicles after the DPW was asked by other businesses and NA Limo to plow the street. The Construction Department does not have any records in its possession from the process of siting the business at the location. The Governing Body requested that NA Limo provide a copy of its Certificate of Occupancy and an affidavit attesting they will comply with the Borough's parking regulations.

**8. Agenda/Public Forum:**

**Motion to open the Agenda/Public Forum:** Councilmember Quinn

Second: Councilmember Sciara

Voice Vote: A voice vote was taken with all present voting in the Affirmative.

Scott Berkoben, representing Glenn Muller of 1 Newark Avenue – gave a brief overview of the wall at 1 Newark that encroaches on the Borough right of way, which first came before the Governing Body in April 2010. Mr. Berkoben requested the Governing Body review the matter in order to give direction to the Prosecutor and Zoning Officer. Councilmember Waneck pointed out there is litigation pending. Mr. Huntington advised the Governing Body not to consider any matter pending before the Municipal Court. Council President Miller requested Mr. Huntington review his notes on the matter from the last time and report back at the next meeting.

**Motion to close the Agenda/Public Forum:** Councilmember Phayre

Second: Councilmember Quinn

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**9. Presentation of Bills, Financial Reports and Resolutions:**

Mayor Birkner advised that the following Resolutions would be enacted in one motion. Councilmembers who wished to remove any Resolution(s) to be voted upon separately, had the opportunity to do so at this time, and said Resolutions would be considered separately. Resolution c was removed from consideration. Resolution f was added.

**Resolutions as Consent Agenda:**

- a) **Resolution #11 - 66: Bill List & Statement of Cash**
- b) **Resolution #11 - 67: Reserve Budget Transfers – Prior Year 2010**
- d) **Resolution #11 - 68: Endorsement – CD Grant Application for Pascack Valley Meals on Wheels**
- e) **Resolution #11 - 69: Approval of Westwood Youth Football Assoc. Application to Consume Alcoholic Beverages on Public Property**
- f) **Resolution #11 - 70: Authorization to Bid Field Maintenance for Westvale Park**

**Motion to adopt resolutions #11-66 through #11-70:** Councilmember Grefrath

Second: Councilmember Phayre

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

**10. Adjournment:**

**Motion to adjourn:** Councilmember Sciara      Second: Councilmember Miller

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 9:14 pm.

Attest:

*(signed) Karen Hughes*

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk